

3 FAM 2270 SENIOR EXECUTIVE SERVICE MERIT STAFFING

3 FAM 2271 AUTHORITY

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

--5 U.S.C. 3393(a), and 3391 through 3395.

3 FAM 2272 POLICY

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

To recruit and appoint highly competent executives to fill specific Departmental needs, and to assign executives where they will be of the most benefit to the accomplishment of the Department's mission without regard to race, color, religion, sex, national origin, age, handicap, marital status, or political affiliation.

3 FAM 2273 COVERAGE

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

—All competitive SES staffing actions within the Department of State.

3 FAM 2274 STAFFING CONSIDERATIONS

3 FAM 2274.1 Area of Consideration

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

—Positions will be advertised in accordance with 5 CFR 317.501(b).

3 FAM 2274.2 Priority Consideration

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

The following will be entitled to priority consideration for a vacancy:

- (1) Career executives whose positions are to be abolished as a result of a reduction in force; and
- (2) Career executives referrals from OPM.

3 FAM 2275 QUALIFICATIONS STANDARDS

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Qualifications standards for each SES position must be based on a job analysis that identifies the essential elements of the position in terms of duties, responsibilities, and performance expectations.

3 FAM 2276 MERIT STAFFING PROCEDURES

3 FAM 2276.1 Application Requirements

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Each applicant must submit an:

- SF-171, Application for Federal Employment or successor form;
- The Department of State Supplemental Applicant Statement; and a
- Completed supervisory assessment. Applicants who do not provide these materials will not be considered.

3 FAM 2276.2 Initial Application Review

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

PER/CSP/ERPM will initially review all applications; those meeting the mandatory qualifications standards will be referred for consideration to a Qualifications Review Panel.

3 FAM 2276.3 Qualifications Review Panel

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

a. Qualifications Review Panels are composed of two members who may be senior employees (SES or equivalent or higher) of the Department of State, of other Government agencies, or individuals from outside the Federal government; and an executive secretary, who provides technical assistance to the evaluators. Panel members are expected to exercise sound judgment in their impartial application of the approved qualifications standards to the education and experience background of each applicant. One panel member must have detailed knowledge of the requirements of the position being reviewed.

b. The panel is required to prepare a brief memorandum which explains its determination of each applicant's status as highly qualified, well qualified, or minimally qualified. Once completed, the certificate of all qualified applicants, along with the written narrative, is sent to the Chair of the ERB for certification prior to forwarding to the selecting official.

3 FAM 2276.4 Selection

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

a. The selecting official has the right to select or not select from the list of highly qualified candidates referred. Personal interviews of candidates by the selecting official are optional; however, if one of the candidates is interviewed, then all of them must be interviewed. The selecting official's selection must be indicated in writing, signed, and dated.

b. The certificate and all selection materials must be returned through the bureau executive office to PER/CSP/ERPM within 60 days from the date the certificate was issued.

c. The selection, along with the list of all qualified candidates, is submitted to the Executive Resources Board for review and approval. The ERB makes the final decision on the selection, and the package is forwarded to OPM for approval in accordance with 5 CFR 317.502.

3 FAM 2277 APPLICANT INQUIRIES

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Applicants may make a written request to PER/CSP for information concerning the procedures and operations of the merit staffing process. The following information will be made available:

- (1) Whether the applicant was placed in the highly qualified group by the Qualifications Review Panel;
- (2) Whether the applicant was on the Selection Certificate;
- (3) The name of the selected applicant; and
- (4) Full information regarding the nature of the procedures used in recruiting and selecting candidates for the particular position

3 FAM 2278 REQUIRED RETENTION OF MERIT STAFFING DOCUMENTATION

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

Records sufficient to allow for the reconstruction of each competitive action will be maintained for two years after a competitive vacancy is filled, or until an OPM evaluation is performed (whichever occurs first).

3 FAM 2279 REVIEW AND APPEALS PROCEDURES

3 FAM 2279.1 Review on Grounds of Improper Procedures

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

- a. When an applicant believes the SES merit staffing procedures were not properly applied, the applicant must first discuss the matter with a staff member of PER/CSP/ERPM. If an applicant is not satisfied with the results of such discussion, the applicant may submit a written request for review, through PER/CSP, to the Executive Resources Board. This request for review must be filed within 15 calendar days of notification of the selection decision.
- b. The request for a review of the application of procedures should briefly state the reason(s) for the request and state the procedures which the applicant believes were not sufficiently noted in the evaluation process.
- c. The ERB will review the application of merit staffing procedures and communicate the results of its review to the initiator of the request in writing within 10 calendar days after receipt of such request.
- d. If a Department of State employee still believes that merit staffing procedures were not properly followed, that employee may file a formal grievance under 3 FAM 4700. Review decisions made by the ERB are final when the requestor is not employed by the Department of State.
- e. Nonselection from among a group of properly ranked and certified candidates is excluded from the grievance procedure.

3 FAM 2279.2 Discrimination and Other Complaints

(TL:PER-249; 4-10-95)

(State Only)

(Applies to Civil Service Employees Only)

- a. Complaints based on alleged discrimination because of religion, age, color, race, sex, national origin, marital status, political affiliation, or physical handicap should be filed and resolved under the Department of State's Equal Employment Opportunity procedures.
- b. Complaints to the Merit System Protection Board are appropriate for alleged violations of merit principles.

